



DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2748-23; DHS Docket No. USCIS-2014-004]

RIN 1615-ZB79

Extension and Redesignation of South Sudan for Temporary Protected Status

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Notice of Temporary Protected Status (TPS) extension and redesignation.

SUMMARY: Through this notice, the Department of Homeland Security (DHS) announces that the Secretary of Homeland Security (Secretary) is extending the designation of South Sudan for Temporary Protected Status (TPS) for 18 months, beginning on November 4, 2023, and ending on May 3, 2025. This extension allows existing TPS beneficiaries to retain TPS through May 3, 2025, so long as they otherwise continue to meet the eligibility requirements for TPS. Existing TPS beneficiaries who wish to extend their status through May 3, 2025, must re-register during the 60-day re-registration period described in this notice. The Secretary is also redesignating South Sudan for TPS. The redesignation of South Sudan allows additional South Sudanese nationals (and individuals having no nationality who last habitually resided in South Sudan) who have been continuously residing in the United States since September 4, 2023, to apply for TPS for the first time during the initial registration period described under the redesignation information in this notice. In addition to demonstrating continuous residence in the United States since September 4, 2023, and meeting other eligibility criteria, initial applicants for TPS under this designation must demonstrate that

they have been continuously physically present in the United States since November 4, 2023, the effective date of this redesignation of South Sudan for TPS.

DATES: *Extension of Designation of South Sudan for TPS:* The 18-month designation of South Sudan for TPS begins on November 4, 2023, and will remain in effect for 18 months, ending on May 3, 2025. The extension impacts existing beneficiaries of TPS.

Re-registration: The 60-day re-registration period for existing beneficiaries runs from [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] through [INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

(Note: It is important for re-registrants to timely re-register during the registration period and not to wait until their Employment Authorization Documents (EADs) expire, as delaying re-registration could result in gaps in their employment authorization documentation.)

Redesignation of South Sudan for TPS: The 18-month redesignation of South Sudan for TPS begins on November 4, 2023, and will remain in effect for 18 months, ending on May 3, 2025. The redesignation impacts potential first-time applicants and others who do not currently have TPS.

First-time Registration: The initial registration period for new applicants under the South Sudan TPS redesignation begins on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] and will remain in effect through May 3, 2025.

FOR FURTHER INFORMATION CONTACT:

- You may contact Rená Cutlip-Mason, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by mail at 5900 Capital Gateway Drive, Camp Springs, MD 20746, or by phone at 800-375-5283.
- For further information on TPS, including guidance on the registration process and additional information on eligibility, please visit the USCIS TPS webpage at

<https://www.uscis.gov/tps>. You can find specific information about South Sudan’s TPS designation by selecting “South Sudan” from the menu on the left side of the TPS webpage.

- If you have additional questions about TPS, please visit uscis.gov/tools. Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).
- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at uscis.gov, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>.
- Further information will also be available at local USCIS offices upon publication of this notice.

SUPPLEMENTARY INFORMATION:

Table of Abbreviations

BIA – Board of Immigration Appeals

CFR – Code of Federal Regulations

DHS – U.S. Department of Homeland Security

DOS – U.S. Department of State

EAD – Employment Authorization Document

FNC – Final Nonconfirmation

Form I-131 – Application for Travel Document

Form I-765 – Application for Employment Authorization

Form I-797 – Notice of Action

Form I-821 – Application for Temporary Protected Status

Form I-9 – Employment Eligibility Verification

Form I-912 – Request for Fee Waiver

Form I-94 – Arrival/Departure Record

FR – Federal Register

Government – U.S. Government

IER – U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section

IJ – Immigration Judge

INA – Immigration and Nationality Act

SAVE – USCIS Systematic Alien Verification for Entitlements Program

Secretary – Secretary of Homeland Security

TPS – Temporary Protected Status

TTY – Text Telephone

USCIS – U.S. Citizenship and Immigration Services

U.S.C. – United States Code

Purpose of this Action (TPS)

Through this notice, DHS sets forth procedures necessary for nationals of South Sudan (or individuals having no nationality who last habitually resided in South Sudan) to (1) re-register for TPS and to apply for renewal of their EADs with USCIS or (2) submit an initial registration application under the redesignation and apply for an EAD.

Re-registration is limited to individuals who have previously registered for TPS under the prior designation of South Sudan and whose applications have been granted. Failure to re-register properly within the 60-day re-registration period may result in the withdrawal of your TPS following appropriate procedures. *See* 8 CFR 244.14.

For individuals who have already been granted TPS under South Sudan's designation, the 60-day re-registration period runs from [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] through [INSERT DATE 60 DAYS

AFTER THE DATE OF PUBLICATION IN FEDERAL REGISTER]. USCIS will issue new EADs with a May 3, 2025 expiration date to eligible South Sudanese TPS beneficiaries who timely re-register and apply for EADs. Given the time frames involved with processing TPS re-registration applications, DHS recognizes that not all re-registrants may receive new EADs before their current EADs expire. Accordingly, through this *Federal Register* notice, DHS automatically extends the validity of certain EADs previously issued under the TPS designation of South Sudan through November 3, 2024. Therefore, as proof of continued employment authorization through November 3, 2024, TPS beneficiaries can show their EADs that have the notation A-12 or C-19 under Category and a “Card Expires” date of November 3, 2023. This notice explains how TPS beneficiaries and their employers may determine which EADs are automatically extended and how this affects the Form I-9, Employment Eligibility Verification, E-Verify, and USCIS Systematic Alien Verification for Entitlements (SAVE) processes.

Individuals who have a South Sudan TPS application (Form I-821) and/or Application for Employment Authorization (Form I-765) that was still pending as of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] do not need to file either application again. If USCIS approves an individual’s pending Form I-821, USCIS will grant the individual TPS through May 3, 2025. Similarly, if USCIS approves a pending TPS-related Form I-765, USCIS will issue the individual a new EAD that will be valid through the same date. There are currently approximately 133 beneficiaries under South Sudan’s TPS designation.

Under the redesignation, individuals who currently do not have TPS may submit an initial application during the initial registration period that runs from [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] through the full length of the redesignation period ending May 3, 2025. In addition to demonstrating continuous residence in the United States since September 4, 2023, and meeting other eligibility

criteria, initial applicants for TPS under this redesignation must demonstrate that they have been continuously physically present in the United States since November 4, 2023,¹ the effective date of this redesignation of South Sudan, before USCIS may grant them TPS. DHS estimates that approximately 140 individuals may become newly eligible for TPS under the redesignation of South Sudan.

What Is Temporary Protected Status (TPS)?

- TPS is a temporary immigration status granted to eligible nationals of a foreign state designated for TPS under the INA, or to eligible individuals without nationality who last habitually resided in the designated foreign state, regardless of their country of birth.
- During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to obtain EADs so long as they continue to meet the requirements of TPS.
- TPS beneficiaries may also apply for and be granted travel authorization as a matter of DHS discretion.
- To qualify for TPS, beneficiaries must meet the eligibility standards at INA section 244(c)(1)-(2), 8 U.S.C. 1254a(c)(1)-(2).
- When the Secretary terminates a foreign state's TPS designation, beneficiaries return to one of the following:
 - The same immigration status or category that they maintained before TPS, if any (unless that status or category has since expired or terminated); or

¹ The “continuous physical presence date” (CPP) is the effective date of the most recent TPS designation of the country, which is either the publication date of the designation announcement in the *Federal Register* or such later date as the Secretary may establish. The “continuous residence date” (CR) is any date established by the Secretary when a country is designated (or sometimes redesignated) for TPS. See INA sec. 244(b)(2)(A) (effective date of designation); 244(c)(1)(A)(i-ii) (CR and CPP date requirements); 8 U.S.C. 1254a(b)(2)(A); 1254a(c)(1)(A)(i-ii).

- Any other lawfully obtained immigration status or category they received while registered for TPS, as long as it is still valid beyond the date TPS terminates.

When was South Sudan designated for TPS?

South Sudan was initially designated for TPS on October 13, 2011, on the dual bases of ongoing armed conflict and extraordinary and temporary conditions that prevented nationals of South Sudan from safely returning.² Following the initial designation, DHS extended and redesignated South Sudan for TPS in 2013, 2014, and 2016.³ In 2017, 2019, and 2020, DHS extended TPS for South Sudan, based on ongoing armed conflict and extraordinary and temporary conditions.⁴ Most recently, in March 2022, DHS extended and redesignated South Sudan for TPS for 18 months based on ongoing armed conflict and extraordinary and temporary conditions, from May 3, 2022, to November 3, 2023.⁵

What authority does the Secretary have to extend the designation South Sudan for TPS?

Section 244(b)(1) of the INA, 8 U.S.C. 1254a(b)(1), authorizes the Secretary, after consultation with appropriate agencies of the U.S. Government, to designate a foreign state (or part thereof) for TPS if the Secretary determines that certain country conditions exist.⁶ The decision to designate any foreign state (or part thereof) is a

² See *Designation of Republic of South Sudan for Temporary Protected Status*, 76 FR 63629 (Oct. 13, 2011).

³ See *Extension and Redesignation of South Sudan for Temporary Protected Status*, 78 FR 1866 (Jan. 9, 2013); *Extension and Redesignation of South Sudan for Temporary Protected Status*, 79 FR 52019 (Sept. 2, 2014); and *Extension and Redesignation of South Sudan for Temporary Protected Status*, 81 FR 4051 (Jan. 25, 2016).

⁴ See *Extension of South Sudan for Temporary Protected Status*, 82 FR 44205 (Sept. 21, 2017); *Extension of the Designation of South Sudan for Temporary Protected Status*, 84 FR 13688 (Apr. 5, 2019); and *Extension of the Designation of South Sudan for Temporary Protected Status*, 85 FR 69344 (Nov. 2, 2020).

⁵ See *Extension and Redesignation of South Sudan for Temporary Protected Status*, 87 FR 12190 (Mar. 3, 2022).

⁶ INA sec. 244(b)(1) ascribes this power to the Attorney General. Congress transferred this authority from the Attorney General to the Secretary of Homeland Security. See Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002). The Secretary may designate a country (or part of a country) for TPS

discretionary decision, and there is no judicial review of any determination with respect to the designation, termination, or extension of a designation. *See* INA sec. 244(b)(5)(A), 8 U.S.C. 1254a(b)(5)(A). The Secretary, in his or her discretion, may then grant TPS to eligible nationals of that foreign state (or individuals having no nationality who last habitually resided in the designated foreign state). *See* INA sec. 244(a)(1)(A), 8 U.S.C. 1254a(a)(1)(A).

At least 60 days before the expiration of a foreign state's TPS designation or extension, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in the foreign state designated for TPS to determine whether they continue to meet the conditions for the TPS designation. *See* INA sec. 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). If the Secretary determines that the foreign state continues to meet the conditions for TPS designation, the designation will be extended for an additional period of 6 months or, in the Secretary's discretion, 12 or 18 months. *See* INA sec. 244(b)(3)(A), (C), 8 U.S.C. 1254a(b)(3)(A), (C). If the Secretary determines that the foreign state no longer meets the conditions for TPS designation, the Secretary must terminate the designation. *See* INA sec. 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B).

What is the Secretary's authority to redesignate South Sudan for TPS?

In addition to extending an existing TPS designation, the Secretary, after consultation with appropriate Government agencies, may redesignate a country (or part thereof) for TPS. *See* INA sec. 244(b)(1), 8 U.S.C. 1254a(b)(1); *see also* INA sec. 244(c)(1)(A)(i), 8 U.S.C. 1254a(c)(1)(A)(i) (requiring that "the alien has been

on the basis of ongoing armed conflict such that returning would pose a serious threat to the personal safety of the country's nationals and habitual residents, environmental disaster (including an epidemic), or extraordinary and temporary conditions in the country that prevent the safe return of the country's nationals. For environmental disaster-based designations, certain other statutory requirements must be met, including that the foreign government must request TPS. A designation based on extraordinary and temporary conditions cannot be made if the Secretary finds that allowing the country's nationals to remain temporarily in the United States is contrary to the U.S. national interest. INA sec. 244(b)(1); 8 U.S.C. 1254a(b)(1).

continuously physically present since the effective date of *the most recent designation of the state*”) (emphasis added).⁷

When the Secretary designates or redesignates a country for TPS, the Secretary also has the discretion to establish the date from which TPS applicants must demonstrate that they have been “continuously resid[ing]” in the United States. *See* INA sec. 244(c)(1)(A)(ii), 8 U.S.C. 1254a(c)(1)(A)(ii). The Secretary has determined that the “continuous residence” date for applicants for TPS under the redesignation of South Sudan shall be September 4, 2023. Initial applicants for TPS under this redesignation must also show they have been “continuously physically present” in the United States since November 4, 2023, which is the effective date of the Secretary's redesignation, of South Sudan. *See* INA sec. 244(c)(1)(A)(i), 8 U.S.C. 1254a(c)(1)(A)(i). For each initial TPS application filed under the redesignation, the final determination of whether the applicant has met the “continuous physical presence” requirement cannot be made until November 4, 2023, the effective date of this redesignation for South Sudan. USCIS, however, will issue employment authorization documentation, as appropriate, during the registration period in accordance with 8 CFR 244.5(b).

Why is the Secretary extending the TPS designation for South Sudan and simultaneously redesignating South Sudan for TPS through May 3, 2025?

DHS has reviewed country conditions in South Sudan. Based on the review, including input received from the Department of State (DOS), the Secretary has determined that an 18-month TPS extension is warranted because ongoing armed conflict and extraordinary and temporary conditions supporting South Sudan’s TPS designation remain. The Secretary has further determined that redesignating South Sudan for TPS

⁷ The extension and redesignation of TPS for South Sudan is one of several instances in which the Secretary and, prior to the establishment of DHS, the Attorney General, have simultaneously extended a country's TPS designation and redesignated the country for TPS. *See, e.g., Extension and Redesignation of Haiti for Temporary Protected Status*, 76 FR 29000 (May 19, 2011); *Extension and Re-designation of Temporary Protected Status for Sudan*, 69 FR 60168 (Oct. 7, 2004); *Extension of Designation and Redesignation of Liberia Under Temporary Protected Status Program*, 62 FR 16608 (Apr. 7, 1997).

under INA section 244(b)(3)(C), 8 U.S.C. 1254a(b)(3)(C) is warranted and is changing the “continuous residence” and “continuous physical presence” dates that applicants must meet to be eligible for TPS.

Armed Conflict

As in prior years, the armed conflicts in South Sudan consist of fighting among various factions associated with the government, as well as between government forces and militant groups, such as the National Salvation Front (also known as the NAS).⁸ A principal driver of armed conflict within the government has long been the rivalry between President Salva Kiir Mayardit and First Vice President Riek Machar, as well as their various supporters and aligned armed groups.^{9, 10} In spite of the 2018 peace agreement that established the current transitional government – and to which President Kiir and Vice President Machar were signatories – South Sudan faces “often violent political contestations,” and the lack of stable government has facilitated ongoing violence that is “nearly always characterized by gross human rights violations that [have] targeted civilians and caused mass displacements” in parts of the country.¹¹ Conflict among armed actors, including the South Sudan People’s Defence Force (SSPDF), the Sudan People’s Liberation Movement - In Opposition (SPLM-IO), and the NAS have continued in 2023.¹² In March 2023, media reported mobilization of forces allied to the

⁸ Human Rights Watch, South Sudan: Events of 2022, <https://www.hrw.org/world-report/2023/country-chapters/south-sudan> (last visited Aug. 22, 2023).

⁹ Kiir leads the ruling Sudan People’s Liberation Movement (SPLM). Machar is associated with the Sudan People’s Liberation Movement – In Opposition (SPLM-IO) but contends that he has not formally left the SPLM. VOA News, *Infighting Brings New Split in South Sudan’s Ruling Party*, Oct. 28, 2022, <https://www.voanews.com/a/infighting-brings-new-split-in-south-sudan-s-ruling-party/6809882.html> (last visited May 19, 2023).

¹⁰ International Crisis Group, *South Sudan’s Splintered Opposition: Preventing More Conflict*, <https://www.crisisgroup.org/africa/horn-africa/south-sudan/south-sudans-splintered-opposition-preventing-more-conflict> (last visited May 19, 2023).

¹¹ U.N. Human Rights Council, *Report of the Commission on Human Rights in South Sudan*, pg. 3, U.N. Doc. A/HRC/52/26, Jan. 31, 2023, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A-HRC-52-26-AdvanceEditedVersion.pdf>.

¹² Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), *RJMEC report on the status of implementation of the revitalised agreement on the resolution of the conflict in the Republic of South Sudan for the Period 1st April to 30th June 2023*, Chapter 2(a), July 2023, <https://reliefweb.int/report/south->

government and the SPLM-IO as the groups prepared to “return to war” with one another.¹³

Multiple parties are responsible for committing crimes and human rights abuses across South Sudan, with reports that “security forces, opposition forces, armed militias affiliated with the government and the opposition, nonsignatories to the peace agreement, and civilians were responsible for a significant range of conflict-related abuses around the country.”¹⁴ Government forces have reportedly engaged in collective punishment of civilians perceived to be opposition supporters, an assumption often based on ethnicity.¹⁵ Delays in implementing security sector reform and demobilization of armed groups have contributed to security forces and ex-combatants exploiting local communities, emboldened by a climate of impunity.¹⁶ Members of government and opposition forces, associated armed militia groups, and ethnic groups are reported to have committed torture and other ill-treatment in conflict zones.¹⁷ The “simmering ethnic conflict” in parts of South Sudan has resulted in dire humanitarian consequences, including significant displacement and reports of human rights violations and abuses, including those involving the killing of civilians, arbitrary arrests or unjust detentions, looting and destruction of civilian property, physical abuse, forced recruitment, and gender-based violence.¹⁸

sudan/rjmec-report-status-implementation-revitalised-agreement-resolution-conflict-republic-south-sudan-period-1st-april-30th-june-2023.

¹³ Small Arms Survey, Upper Nile Prepares to Return to War, Mar. 2023, <https://www.smallarmssurvey.org/resource/upper-nile-prepares-return-war>.

¹⁴ U.S. Dep’t. of State, 2022 Country Reports on Human Rights: South Sudan, pg. 15, Mar. 20, 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_SOUTH-SUDAN-2022-HUMAN-RIGHTS-REPORT.pdf.

¹⁵ *Id.* at 16.

¹⁶ U.N. Human Rights Council, Report of the Commission on Human Rights in South Sudan, pg. 4, U.N. Doc. A/HRC/52/26, Jan. 31, 2023, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A-HRC-52-26-AdvanceEditedVersion.pdf>

¹⁷ U.S. Dep’t. of State, 2022 Country Reports on Human Rights: South Sudan, pg. 5, Mar. 20, 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_SOUTH-SUDAN-2022-HUMAN-RIGHTS-REPORT.pdf.

¹⁸ *Id.* at 27.

Armed conflict has had particularly dire consequences for women and children. Women and girls have faced increased cases of sexual violence and harassment, as well as risk of abductions, killings, and threats from armed forces.¹⁹ Various parties use gender-based violence as a conflict tactic, including rape, gang rape, sexual slavery, and forced marriage.²⁰ Impunity for gender-based abuses, including sexual abuses, has continued.²¹ Experts estimate that around 2.8 million people are at risk of gender-based violence in 2023, constituting a nine percent increase over the previous year.²² Children also remain at great risk of multiple types of abuse and victimization. The United Nations has documented many incidences of what the Special Representative of the Secretary-General for Children and Armed Conflict has identified as the six “grave violations against children,” including recruitment and use by armed groups; killing and maiming; rape and other forms of sexual violence; attacks on schools, hospitals, and protected persons in relation to schools and/or hospitals; abduction; and denial of humanitarian access.²³

Environmental and Health Concerns

South Sudan has experienced above normal rainfall for four consecutive years.²⁴ The effects of rain and flooding are widespread, with the number of people impacted

¹⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), South Sudan Humanitarian Needs Overview 2023, pg. 7, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022> (last visited May 19, 2023).

²⁰ U.S. Dep’t. of State, 2022 Country Reports on Human Rights: South Sudan, pg. 17, Mar. 20, 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_SOUTH-SUDAN-2022-HUMAN-RIGHTS-REPORT.pdf.

²¹ UNOCHA, South Sudan Humanitarian Needs Overview 2023, pg. 13, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022>, (last visited May 19, 2023).

²² U.N. Security Council, Final Report of the Panel of Experts on South Sudan, pg. 17, U.N. Doc. S/2023/294, Apr. 26, 2023, <https://reliefweb.int/report/south-sudan/final-report-panel-experts-south-sudan-submitted-pursuant-resolution-2633-2022-s2023294-enar>, (last visited May 19, 2023).

²³ UN Security Council, Children and armed conflict in South Sudan, pg. 1, Feb. 10, 2023, https://unmiss.unmissions.org/sites/default/files/sg_report_on_children_and_armed_conflict_in_south_sudan.pdf.

²⁴ UNOCHA, South Sudan Humanitarian Needs Overview 2023, pg. 6, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022> (last visited May 19, 2023).

across South Sudan estimated to exceed one million.²⁵ Floods have destroyed crops, homes, schools, health care centers, and boreholes for water access, and efforts to provide relief have been stymied by violence, inaccessibility, and gaps in resources and infrastructure.²⁶

South Sudan is also contending with multiple disease outbreaks. Flood-affected areas have seen the spread of malaria, diarrhea, pneumonia, and skin infections, and the lack of clean water and sanitation suggests that outbreaks of cholera and Hepatitis E are likely to persist.²⁷ There also have been confirmed outbreaks of measles.²⁸ Dozens of health facilities were damaged or relocated due to flooding, furthering restricting access to care.²⁹

Food Insecurity

Approximately 7.8 million South Sudanese were projected to face “Crisis” levels of acute food insecurity, or worse, between April and July 2023.³⁰ Within this population, 2.9 million people were projected to face “Emergency” levels of acute food security, and around 43,000 were expected to face “Catastrophe.”³¹ Disruption in the agricultural sector has led to a dramatic increase in food prices, thereby exacerbating food

²⁵ UNOCHA, South Sudan: Flooding Situation Report No. 1, pg. 1, Oct. 12, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-flooding-situation-report-no-1-31-october-2022> (last visited May 19, 2023).

²⁶ *Id.*

²⁷ UNOCHA, South Sudan Humanitarian Needs Overview 2023, pg. 19, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022>, (last visited May 19, 2023).

²⁸ *Id.* at 20.

²⁹ *Id.* at 21.

³⁰ U.S. Agency for International Development (USAID), South Sudan – Complex Emergency Fact Sheet #3. Fiscal Year 2023, pg. 2, Mar. 31, 2023, <https://reliefweb.int/report/south-sudan/south-sudan-complex-emergency-fact-sheet-3-fiscal-year-fy-2023> (last visited May 19, 2023). The “Crisis” level of food security is the third level on the five level Integrated Food Security Phase Classification (IPC) scale, which ranges from “Minimal” (IPC 1) to “Famine” or “Catastrophe” (IPC 5).

³¹ USAID, South Sudan – Complex Emergency Fact Sheet #3. Fiscal Year 2023, pg. 2, Mar. 31, 2023, <https://reliefweb.int/report/south-sudan/south-sudan-complex-emergency-fact-sheet-3-fiscal-year-fy-2023> (last visited May 19, 2023).

insecurity and intensifying poverty.³² Access to food is also sometimes used as a weapon of war.³³

Barriers to Humanitarian Access

An estimated 9.4 million of South Sudan's total population of more than 12 million people is in need of humanitarian assistance.³⁴ Multiple factors complicate the provision of relief. Armed groups restrict the safe and effective delivery of assistance, in some cases even harassing or killing aid workers, engaging in looting, and destroying humanitarian assets and facilities.³⁵ Bureaucratic obstacles and interference further undermine access.³⁶ Additionally, flooding has prevented physical access to some locations.³⁷

Based upon this review and after consultation with appropriate U.S. Government agencies, the Secretary has determined that:

- The conditions supporting South Sudan's designation for TPS continue to be met. *See* INA sec. 244(b)(3)(A) and (C), 8 U.S.C. 1254a(b)(3)(A) and (C).
- There continues to be an ongoing armed conflict in South Sudan and, due to such conflict, requiring the return to South Sudan of South Sudanese nationals (or individuals having no nationality who last habitually resided in South Sudan) would

³² UNOCHA, South Sudan Humanitarian Needs Overview 2023, pg. 14, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022>, (last visited May 19, 2023).

³³ U.S. Dep't. of State, 2022 Country Reports on Human Rights: South Sudan, pg. 2 (Mar. 20, 2023) https://www.state.gov/wp-content/uploads/2023/03/415610_SOUTH-SUDAN-2022-HUMAN-RIGHTS-REPORT.pdf.

³⁴ USAID, South Sudan – Complex Emergency Fact Sheet #3. Fiscal Year 2023, pg. 1, Mar. 31, 2023, <https://reliefweb.int/report/south-sudan/south-sudan-complex-emergency-fact-sheet-3-fiscal-year-fy-2023> (last visited May 19, 2023).

³⁵ U.S. Dep't. of State, 2022 Country Reports on Human Rights: South Sudan, pg. 18, Mar. 20, 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_SOUTH-SUDAN-2022-HUMAN-RIGHTS-REPORT.pdf.

³⁶ UNOCHA, South Sudan Humanitarian Needs Overview 2023, pg. 75, Nov. 22, 2022, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-needs-overview-2023-november-2022> (last visited May 19, 2023).

³⁷ UNICEF, South Sudan Humanitarian Situation No. 2:1, pg. 2, Feb. 28, 2023, <https://reliefweb.int/report/south-sudan/unicef-south-sudan-humanitarian-situation-report-no-2-1-28-february-2023> (last visited May 19, 2023).

pose a serious threat to their personal safety. *See* INA sec. 244(b)(1)(A), 8 U.S.C. 1254a(b)(1)(A).

- There continue to be extraordinary and temporary conditions in South Sudan that prevent South Sudanese nationals (or individuals having no nationality who last habitually resided in South Sudan) from returning in safety, and it is not contrary to the national interest of the United States to permit South Sudanese TPS beneficiaries to remain in the United States temporarily. *See* INA sec. 244(b)(1)(C), 8 U.S.C. 1254a(b)(1)(C).
- The designation of South Sudan for TPS should be extended for an 18-month period, beginning on November 4, 2023, and ending on May 3, 2025. *See* INA sec. 244(b)(3)(C), 8 U.S.C. 1254a(b)(3)(C).
- Due to the conditions described above, South Sudan should be simultaneously extended and redesignated for TPS beginning on November 4, 2023 and ending on May 3, 2025. *See* INA sec. 244(b)(1)(A), (C), and (b)(2), 8 U.S.C. 1254a(b)(1)(A), (C), and (b)(2).
- For the redesignation, the Secretary has determined that TPS applicants must demonstrate that they have continuously resided in the United States since September 4, 2023.
- Initial TPS applicants under the redesignation must demonstrate that they have been continuously physically present in the United States since November 4, 2023, the effective date of the redesignation of South Sudan for TPS.
- There are approximately 133 current South Sudan TPS beneficiaries who are eligible to re-register for TPS under the extension.
- It is estimated that approximately 140 additional individuals may be eligible for TPS under the redesignation of South Sudan. This population includes South Sudanese nationals in the United States in nonimmigrant status or without immigration status.

Notice of the Designation of South Sudan for TPS

By the authority vested in me as Secretary under INA section 244, 8 U.S.C. 1254a, I have determined, after consultation with the appropriate U.S. Government agencies, the statutory conditions supporting South Sudan's designation for TPS on the basis of ongoing armed conflict and extraordinary and temporary conditions are met and it is not contrary to the national interest of the United States to permit South Sudanese TPS beneficiaries to remain in the United States temporarily. *See* INA sec. 244(b)(1)(A), 8 U.S.C. 1254a(b)(1)(A) and INA sec. 244(b)(1)(C), 8 U.S.C. 1254a(b)(1)(C). On the basis of this determination, I am simultaneously extending the existing designation of South Sudan for TPS for 18 months, beginning on November 4, 2023, and ending on May 3, 2025, and redesignating South Sudan for TPS for the same 18-month period. *See* INA sec. 244(b)(1)(A), (b)(1)(C) and (b)(2); 8 U.S.C. 1254a(b)(1)(A), (b)(1)(C), and (b)(2).

Alejandro N. Mayorkas
Secretary,
U.S. Department of Homeland Security

Eligibility and Employment Authorization for TPS Required Application Forms and Application Fees to Register or Re-register for TPS

To register for TPS based on the designation of South Sudan, you must submit a Form I-821, Application for Temporary Protected Status, and pay the filing fee (or request a fee waiver, which you may submit on Form I-912, Request for Fee Waiver). You may be required to pay the biometric services fee. If you can demonstrate an inability to pay the biometric services fee, you may request to have the fee waived. Please see additional information under the “Biometric Services Fee” section of this notice.

TPS beneficiaries are eligible for an Employment Authorization Document (EAD), which proves their authorization to work in the United States. You are not required to submit Form I-765, Application for Employment Authorization, or have an EAD to be granted TPS, but see below for more information if you want an EAD to use as proof that you can work in the United States.

Individuals who have a South Sudan TPS application (Form I-821) that was still pending as of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] do not need to file the application again. If USCIS approves an individual’s Form I-821, USCIS will grant the individual TPS through May 3, 2025.

For more information on the application forms and fees for TPS, please visit the USCIS TPS webpage at <https://www.uscis.gov/tps>. Fees for the Form I-821, the Form I-765, and biometric services are also described in 8 CFR 103.7(b)(1) (Oct. 1, 2020). In addition, the form instructions for the Form I-821 and Form I-765 provide further information on requirements and fees for both initial TPS applicants and existing TPS beneficiaries who are re-registering.

How can TPS beneficiaries obtain an Employment Authorization Document (EAD)?

Everyone must provide their employer with documentation showing that they have the legal right to work in the United States. TPS beneficiaries are eligible to obtain an EAD, which proves their legal right to work. Those who want to obtain an EAD must file a Form I-765 and pay the Form I-765 fee (or request a fee waiver, which you may submit on Form I-912, Request for Fee Waiver). TPS applicants may file this form along with their TPS application, or at a later date, provided their TPS application is still pending or has been approved. Beneficiaries with a South Sudanese TPS-related Form I-765 that was still pending as of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] do not need to file the application again. If USCIS approves a pending TPS-related Form I-765, USCIS will issue the individual a new EAD that will be valid through May 3, 2025.

Refiling an Initial TPS Registration Application after Receiving a Denial of a Fee Waiver Request

If USCIS denies your fee waiver request, you can resubmit your TPS application. The fee waiver denial notice will contain specific instructions about resubmitting your application.

Filing Information

USCIS offers the option to applicants for TPS under South Sudan's designation to file Form I-821 and related requests for EADs online or by mail. However, if you request a fee waiver, you must submit your application by mail. When filing a TPS application, applicants can also request an EAD by submitting a completed Form I-765, with their Form I-821.

Online filing: Forms I-821 and I-765 are available for concurrent filing online.³⁸ To file these forms online, you must first create a USCIS online account.³⁹

Mail filing: Mail your application for TPS to the proper address in Table 1.

Table 1-Mailing Addresses

Mail your completed Form I-821, Application for Temporary Protected Status; Form I-765, Application for Employment Authorization, if applicable; Form I-912, Request for Fee Waiver (if applicable); and supporting documentation to the proper address in Table 1.

Table 1-Mailing Addresses

All States	Mail your application to:
U.S. Postal Service USPS:	USCIS Attn: TPS South Sudan P.O. Box 6943 Chicago, IL 60680-6943
FedEx, UPS, and DHL deliveries:	USCIS Attn: TPS South Sudan (Box 6943) 131 S. Dearborn 3rd Floor Chicago, IL 60603-5517

If you were granted TPS by an immigration judge (IJ) or the Board of Immigration Appeals (BIA) and you wish to request an EAD, please file online or mail your Form I-765 application to the appropriate mailing address in Table 1. If filing online, please include the fee. If filing by mail, please include the fee or fee waiver request. When you are requesting an EAD based on an IJ/BIA grant of TPS, please

³⁸ Find information about online filing at “Forms Available to File Online,” <https://www.uscis.gov/file-online/forms-available-to-file-online>.

³⁹ https://myaccount.uscis.gov/users/sign_up.

include a copy of the IJ or BIA order granting you TPS with your application. This will help us verify your grant of TPS and process your application.

Supporting Documents

The filing instructions on the Form I-821 list all the documents needed to establish eligibility for TPS. You may also find information on the acceptable documentation and other requirements for applying (*i.e.*, registering) for TPS on the USCIS website at <https://www.uscis.gov/tps> under “South Sudan.”

Travel

TPS beneficiaries may also apply for and be granted travel authorization as a matter of discretion. You must file for travel authorization if you wish to travel outside of the United States. If granted, travel authorization gives you permission to leave the United States and return during a specific period. To request travel authorization, you must file Form I-131, Application for Travel Document, available at <https://www.uscis.gov/i-131>. You may file Form I-131 together with your Form I-821 or separately. When filing Form I-131, you must:

- Select Item Number 1.d. in Part 2 on the Form I-131; and
- Submit the fee for Form I-131, or request a fee waiver, which you may submit on Form I-912, Request for Fee Waiver.

If you are filing Form I-131 together with Form I-821, send your forms to the address listed in Table 1. If you are filing Form I-131 separately based on a pending or approved Form I-821, send your form to the address listed in Table 2 and include a copy of Form I-797 for the approved or pending Form I-821.

Table 2- Mailing Addresses

If you are...	Mail to...
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Filing Form I-131 together with a Form I-821, Application for Temporary Protected Status	The address provided in Table 1.
<p>Filing Form I-131 based on a pending or approved Form I-821, and you are using the U.S. Postal Service (USPS):</p> <p>You must include a copy of the receipt notice (Form I-797 or I-797C) showing we accepted or approved your Form I-821.</p>	<p>USCIS Attn: I-131 TPS P.O. Box 660167 Dallas, TX 75266-0867</p>
<p>Filing Form I-131 based on a pending or approved Form I-821, and you are using FedEx, UPS, or DHL:</p> <p>You must include a copy of the receipt notice (Form I-797 or I-797C) showing we accepted or approved your Form I-821.</p>	<p>USCIS Attn: I-131 TPS 2501 S. State Hwy. 121 Business Ste. 400 Lewisville, TX 75067</p>

Biometric Services Fee for TPS

Biometrics (such as fingerprints) are required for all applicants 14 years of age and older. Those applicants must submit a biometric services fee. As previously stated, if you are unable to pay the biometric services fee, you may request a fee waiver, which you may submit on Form I-912, Request for Fee Waiver. For more information on the application forms and fees for TPS, please visit the USCIS TPS web page at <https://www.uscis.gov/tps>. If necessary, you may be required to visit an Application Support Center to have your biometrics captured. For additional information on the USCIS biometric screening process, please see the USCIS Customer Profile Management Service Privacy Impact Assessment, available at <https://www.dhs.gov/publication/dhsuscispia-060-customer-profile-management-service-cpms>

General employment-related information for TPS applicants and their employers

How can I obtain information on the status of my TPS application and EAD request?

To get case status information about your TPS application, as well as the status of your TPS-based EAD request, you can check Case Status Online at uscis.gov, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>. If your Form I-765 has been pending for more than 90 days, and you still need assistance, you may ask a question about your case online at <https://egov.uscis.gov/e-request/Intro.do> or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

Am I eligible to receive an automatic extension of my current EAD through November 3, 2024, through this *Federal Register* notice?

Yes. Regardless of your country of birth, provided that you currently have a South Sudan TPS-based EAD that has the notation A-12 or C-19 under Category and a “Card Expires” date of November 3, 2023, this *Federal Register* notice automatically extends your EAD through November 3, 2024. Although this *Federal Register* notice automatically extends your EAD through November 3, 2024, you must re-register timely for TPS in accordance with the procedures described in this *Federal Register* notice to maintain your TPS and employment authorization.

When hired, what documentation may I show to my employer as evidence of identity and employment authorization when completing Form I-9?

You can find the Lists of Acceptable Documents on Form I-9, Employment Eligibility Verification, as well as the Acceptable Documents webpage at <https://www.uscis.gov/i-9-central/acceptable-documents>. Employers must complete Form I-9 to verify the identity and employment authorization of all new employees. Within three days of hire, employees must present acceptable documents to their

employers as evidence of identity and employment authorization to satisfy Form I-9 requirements.

You may present any document from List A (which provides evidence of both identity and employment authorization) or one document from List B (which provides evidence of your identity) together with one document from List C (which provides evidence of employment authorization), or you may present an acceptable receipt as described in the Form I-9 Instructions. Employers may not reject a document based on a future expiration date. You can find additional information about Form I-9 on the I-9 Central web page at <https://www.uscis.gov/I-9Central>. An EAD is an acceptable document under List A. See the section “How do my employer and I complete Form I-9 using my automatically extended EAD for a new job?” of this *Federal Register* notice for further information. If your EAD states A-12 or C-19 under Category and has a “Card Expires” date of November 3, 2023 it has been extended automatically by virtue of this *Federal Register* notice and you may choose to present your EAD to your employer as proof of identity and employment eligibility for Form I-9 through November 3, 2024, unless your TPS has been withdrawn or your request for TPS has been denied. Your country of birth notated on the EAD does not have to reflect the TPS designated country of South Sudan for you to be eligible for this extension.

What documentation may I present to my employer for Form I-9 if I am already employed but my current TPS-related EAD is set to expire?

Even though we have automatically extended your EAD, your employer is required by law to ask you about your continued employment authorization. Your employer may need to examine your automatically extended EAD to check the “Card Expires” date and Category code if your employer did not keep a copy of your EAD when you initially presented it. Once your employer has reviewed the Card Expiration date and Category code, your employer should update the EAD expiration date in Section

2 of Form I-9. See the section “What updates should my current employer make to Form I-9 if my EAD has been automatically extended?” of this *Federal Register* notice for further information. You may show this *Federal Register* notice to your employer to explain what to do for Form I-9 and to show that USCIS has automatically extended your EAD through November 3, 2024, but you are not required to do so. The last day of the automatic EAD extension is November 3, 2024. Before you start work on November 4, 2024, your employer is required by law to reverify your employment authorization on Form I-9. By that time, you must present any document from List A or any document from List C on Form I-9 Lists of Acceptable Documents, or an acceptable List A or List C receipt described in the Form I-9 instructions to reverify employment authorization.

Your employer may not specify which List A or List C document you must present and cannot reject an acceptable receipt.

If I have an EAD based on another immigration status, can I obtain a new TPS-based EAD?

Yes, if you are eligible for TPS, you can obtain a new TPS-based EAD, regardless of whether you have an EAD or work authorization based on another immigration status. If you want to obtain a new TPS-based EAD valid through May 3, 2025, then you must file Form I-765, Application for Employment Authorization, and pay the associated fee (unless USCIS grants your fee waiver request).

Can my employer require that I provide any other documentation such as evidence of my status, proof of my South Sudanese citizenship, or a Form I-797C showing that I registered for TPS for Form I-9 completion?

No. When completing Form I-9, employers must accept any documentation you choose to present from the Form I-9 Lists of Acceptable Documents that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers may not request proof of South Sudanese citizenship or proof of

registration for TPS when completing Form I-9 for new hires or reverifying the employment authorization of current employees. If you present an EAD that USCIS has automatically extended, employers should accept it as a valid List A document so long as the EAD reasonably appears to be genuine and to relate to you. Refer to the “Note to Employees” section of this *Federal Register* notice for important information about your rights if your employer rejects lawful documentation, requires additional documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

How do my employer and I complete Form I-9 using my automatically extended EAD for a new job?

When using an automatically extended EAD to complete Form I-9 for a new job before November 4, 2024:

1. For Section 1, you should:

a. Check “A noncitizen authorized to work until” and enter November 3, 2024, as the “expiration date”; and

b. Enter your USCIS number or A-Number where indicated. (Your EAD or other document from DHS will have your USCIS number or A-Number printed on it; the USCIS number is the same as your A-Number without the A prefix.)

2. For Section 2, employers should:

a. Determine if the EAD is auto-extended by ensuring it is in category A-12 or C-19 and has a “Card Expires” date of November 3, 2023;

b. Write in the document title;

c. Enter the issuing authority;

d. Provide the document number; and

e. Write November 3, 2024, as the expiration date.

Before the start of work on November 4, 2024, employers must reverify the employee's employment authorization on Form I-9.

What updates should my current employer make to Form I-9 if my EAD has been automatically extended?

If you presented a TPS-related EAD that was valid when you first started your job and USCIS has now automatically extended your EAD, your employer may need to examine your current EAD if they do not have a copy of the EAD on file. Your employer should determine if your EAD is automatically extended by ensuring that it contains Category A-12 or C-19 and has a “Card Expires” date of November 3, 2023. Your employer may not rely on the country of birth listed on the card to determine whether you are eligible for this extension.

If your employer determines that USCIS has automatically extended your EAD, your employer should update Section 2 of your previously completed Form I-9 as follows:

1. Write EAD EXT and November 3, 2024, as the last day of the automatic extension in the Additional Information field; and
2. Initial and date the correction.

Note: This is not considered a reverification. Employers do not reverify the employee until either the automatic extension has ended, or the employee presents a new document to show continued employment authorization, whichever is sooner. By November 4, 2024, when the employee's automatically extended EAD has expired, employers are required by law to reverify the employee's employment authorization on Form I-9.

If I am an employer enrolled in E-Verify, how do I verify a new employee whose EAD has been automatically extended?

Employers may create a case in E-Verify for a new employee by entering the number from the Document Number field on Form I-9 into the document number field in E-Verify. Employers should enter November 3, 2024, as the expiration date for an EAD that has been extended under this *Federal Register* notice.

If I am an employer enrolled in E-Verify, what do I do when I receive a “Work Authorization Documents Expiring” alert for an automatically extended EAD?

E-Verify automated the verification process for TPS-related EADs that are automatically extended. If you have employees who provided a TPS-related EAD when they first started working for you, you will receive a “Work Authorization Documents Expiring” case alert when the auto-extension period for this EAD is about to expire. Before this employee starts work on November 4, 2024, you must reverify their employment authorization on Form I-9. Employers may not use E-Verify for reverification.

Note to All Employers

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This *Federal Register* notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules setting forth reverification requirements. For general questions about the employment eligibility verification process, employers may call USCIS at 888-464-4218 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. USCIS accepts calls and emails in English and many other languages. For questions about avoiding discrimination during the employment eligibility verification process (Form I-9 and E-Verify), employers may call the U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights

Section (IER) Employer Hotline at 800-255-8155 (TTY 800-237-2515). IER offers language interpretation in numerous languages. Employers may also email IER at IER@usdoj.gov or get more information online at www.justice.gov/ier.

Note to Employees

For general questions about the employment eligibility verification process, employees may call USCIS at 888-897-7781 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. USCIS accepts calls in English, Spanish and many other languages. Employees or job applicants may also call the U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section (IER) Worker Hotline at 800-255-7688 (TTY 800-237-2515) for information regarding employment discrimination based on citizenship, immigration status, or national origin, including discrimination related to Form I-9 and E-Verify. The IER Worker Hotline provides language interpretation in numerous languages.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Form I-9 Instructions. Employers may not require extra or additional documentation beyond what is required for Form I-9 completion. Further, employers participating in E-Verify who receive an E-Verify case result of “Tentative Nonconfirmation” (mismatch) must promptly inform employees of the mismatch and give such employees an opportunity to take action to resolve the mismatch. A mismatch means that the information entered into E-Verify from Form I-9 differs from records available to DHS.

Employers may not terminate, suspend, delay training, withhold or lower pay, or take any adverse action against an employee because of a mismatch while the case is still pending with E-Verify. A Final Nonconfirmation (FNC) case result is received when E-

Verify cannot confirm an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Work-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin, contact IER's Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information about proper nondiscriminatory Form I-9 and E-Verify procedures is available on the IER website at <https://www.justice.gov/ier> and the USCIS and E-Verify websites at <https://www.uscis.gov/i-9-central> and <https://www.e-verify.gov>.

Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)

For Federal purposes, if you present an automatically extended EAD referenced in this *Federal Register* notice, you do not need to show any other document, such as a Form I-797C, Notice of Action reflecting receipt of a Form I-765 EAD renewal application or this *Federal Register* notice, to prove that you qualify for this extension. While Federal Government agencies must follow the guidelines laid out by the Federal Government, State and local government agencies establish their own rules and guidelines when granting certain benefits. Each state may have different laws, requirements, and determinations about what documents you need to provide to prove eligibility for certain benefits. Whether you are applying for a Federal, State, or local government benefit, you may need to provide the government agency with documents that show you are a TPS beneficiary, show you are authorized to work based on TPS or other status, or that may be used by DHS to determine if you have TPS or another immigration status. Examples of such documents are:

- Your current EAD with a TPS category code of A-12 or C-19, even if your country of birth noted on the EAD does not reflect the TPS designated country of South Sudan;
- Your Form I-94, Arrival/Departure Record;
- Your Form I-797, Notice of Action, reflecting approval of your Form I-765; or
- Form I-797 or Form I-797C, Notice of Action, reflecting approval or receipt of a past or current Form I-821, if you received one from USCIS.

Check with the government agency requesting documentation regarding which document(s) the agency will accept. Some state and local government agencies use the SAVE program to confirm the current immigration status of applicants for public benefits.

While SAVE can verify that an individual has TPS, each agency's procedures govern whether they will accept an unexpired EAD, Form I-797, Form I-797C, or Form I-94, Arrival/Departure Record. If an agency accepts the type of TPS-related document you present, such as an EAD, the agency should accept your automatically extended EAD, regardless of the country of birth listed on the EAD. It may assist the agency if you:

- a. Give the agency a copy of the relevant *Federal Register* notice showing the extension of TPS-related documentation in addition to your recent TPS-related document with your A-number, USCIS number, or Form I-94 number;
- b. Explain that SAVE will be able to verify the continuation of your TPS using this information; and
- c. Ask the agency to initiate a SAVE query with your information and follow through with additional verification steps, if necessary, to get a final SAVE response verifying your TPS.

You can also ask the agency to look for SAVE notices or contact SAVE if they have any questions about your immigration status or automatic extension of TPS-related documentation. In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but occasionally verification can be delayed.

You can check the status of your SAVE verification by using CaseCheck at <https://save.uscis.gov/casecheck/>. CaseCheck is a free service that lets you follow the progress of your SAVE verification case using your date of birth and one immigration identifier number (such as A-number, USCIS number or Form I-94 number) or Verification Case Number. If an agency has denied your application based solely or in part on a SAVE response, the agency must offer you the opportunity to appeal the decision in accordance with the agency's procedures. If the agency has received and acted on or will act on a SAVE verification and you do not believe the SAVE response is correct, the SAVE website, <https://www.uscis.gov/save>, has detailed information on how to make corrections or update your immigration record, make an appointment, or submit a written request to correct records.

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